



5. That the Marshal shall serve the United States, without payment of costs or fees; service may be by certified mail in the discretion of the Marshal; and

6. That the defendant shall answer or otherwise respond to the complaint and file the administrative record within the 60-day period prescribed by Fed. R. Civ. P. 12(a)(3).

DATED this 26th day of September, 2005.

BY THE COURT:

s/ Joseph F. Bataillon  
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JOSEPH F. BATAILLON  
Chief District Judge

**Notice regarding Federal Rule of Civil Procedure 4(i)**

Federal Rule of Civil Procedure 4(i) regarding “[s]erving the United States, Its Agencies, Corporations, Officers, or Employees,” states:

(1) Service upon the United States shall be effected

(A) by delivering a copy of the summons and of the complaint to the **United States attorney for the district in which the action is brought** or to an assistant United States attorney or clerical employee designated by the United States attorney in a writing filed with the clerk of the court or by sending a copy of the summons and of the complaint by registered or certified mail addressed to the civil process clerk at the office of the United States attorney

Michael Heavican, Esq.  
**U.S. Attorney for the District of Nebraska**  
1620 Dodge Street, Suite 1400  
Omaha, NE 68103

and

(B) by also sending a copy of the summons and of the complaint by registered or certified mail to the **Attorney General of the United States** at Washington, District of Columbia,

**U.S. Attorney General**  
Main Justice Building  
10<sup>th</sup> & Constitution Ave., N.W.  
Washington, D.C. 20530

and

(C) in any action attacking the validity of an order of an officer or agency of the United States not made a party, by also sending a copy of the summons and of the complaint by registered or certified mail to **the officer or agency**.

Jo Anne B. Barnhart  
**Commissioner of Social Security**  
6401 Security Blvd.  
Baltimore, MD 21235.